

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-2(c)

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By: Stacey L. Mullen, Esquire (SM5598)

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In Re:  
Jeffrey W. Winter,

Case No.: \_\_\_\_18-35219  
Judge: \_\_\_\_JNP  
Chapter: 13

**CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION  
X TO CREDITOR'S MOTION OR CERTIFICATION OF DEFAULT  
TO TRUSTEE'S MOTION OR CERTIFICATION OF DEFAULT**

The debtor in the above-captioned chapter 13 proceeding hereby objects to the following  
(choose one):

1. \_\_\_\_ Motion for Relief from the Automatic Stay filed by creditor  
. A hearing has been scheduled for  
at \_\_\_\_ am

OR

\_\_\_\_ Motion to Dismiss filed by the Standing Chapter 13 Trustee.  
A hearing has been scheduled for \_\_, at \_\_\_\_ am.

X Certification of Default filed by creditor, Wilmington Savings  
I am requesting a hearing be scheduled on this matter.

OR

\_\_\_\_ Certification of Default filed by Standing Chapter 13 Trustee  
I am requesting a hearing be scheduled on this matter.

I am objecting to the above for the following reasons (choose one):

- \_\_\_\_ Payments have been made in the amount of \$ \_\_\_\_\_, but have  
not been accounted for. Documentation in support is attached hereto.  
\_\_\_\_ Payments have not been made for the following reasons and debtor proposes

repayment as follows (**explain your answer**):

X Other (**explain your answer**): Debtor was approved for a trial loan modification and is complying with same. Once he successfully completes the trial, he will be approved for a permanent loan modification. Debtor is very confident he will successful and will eventually be on a permanent loan modification. Once that occurs, a modified plan will be filed to take out his mortgage arrears from his bankruptcy plan. Debtor's employment was adversely affected by COVID19. His hours were cut and therefore his income was negatively affected. Debtor's income has started to improve and he is currently working full time hours (unlike the prior COVID months). Debtor is hopeful to resolve this matter based on the above as he would like to remain in his home.

3. This certification is being made in an effort to resolve the issues raised by the creditor in its motion.

4. I certify the above facts to be true. I am aware that if the above facts are willfully false, I am subject to punishment.

Date: 9/7/20

/s/ Jeffrey W. Winter  
Debtor's Signature

**NOTE:** Pursuant to the Court's General Orders entered on January 4<sup>th</sup>, 2005, this form must be filed with the Court and served upon the creditor and the Standing Chapter 13 Trustee, **at least seven (7) days before the return date, pursuant to DNJ LBR 9013-1(d), Motion Practice**, if filed in opposition to a *Motion for Relief from the Automatic Stay*; and **within 10 days of the filing of a Creditor's Certification of Default under an Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions**. Absent the filing of this mandatory new form, the creditor's stay relief motion will be deemed uncontested, and the creditor's appearance at the hearing will *not* be required.

1/3/05/jml